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April 6, 2011

**Via Electronic Case Filing**

Honorable Viktor V. Pohorelsky, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: *Stephen J. Topalian v. Hartford Life Insurance Company***  
***Civil Action No. 1:10-CV-01965-KAM-VVP***

Dear Magistrate Judge Pohorelsky:

This firm represents Plaintiff in connection with the above referenced ERISA long term disability benefits litigation.

During a telephone conference with the Court on March 14, 2011, Your Honor directed that the Defendant produce documents subject to the Stipulated Protective Order *within one week after entry of the Order*. (See attached). The Court entered the Stipulated Protective Order on March 15, 2011.

The Court further ordered that Plaintiff had three weeks after the entry of the Stipulated Protective Order within which to make any Motion to compel further production of documents.

Notwithstanding the Court's Order, Plaintiff did not receive the additional discovery until today, April 6, 2011, when we received from Defendant a CD Rom with over 1300 pages of information, which we are in the process of reviewing.

In view of the above, Plaintiff respectfully requests that the Court extend Plaintiff's time within which to file a Motion to Compel, until Plaintiff has had a reasonable opportunity to review the voluminous documents which were served upon us today.

Honorable Viktor V. Pohorelsky, U.S.M.J.

April 6, 2011

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This matter is scheduled for a telephone conference with the Court on April 20, 2011, at which point Plaintiff will be in a position to inform the Court and counsel as to whether an application to compel production of additional discovery is going to be necessary.

Thank you for Your Honor's consideration of this request.

Respectfully submitted,

USCHER, QUIAT, USCHER & RUSSO  
A Professional Corporation



MICHAEL E. QUIAT

MEQ:ln

Cc: John Seybert, Esq.

Sedgwick, Detert, Moran & Arnold, LLP

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**Michael Quiat**

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**From:** ecf\_bounces@nyed.uscourts.gov  
**Sent:** Monday, March 14, 2011 4:44 PM  
**To:** nobody@nyed.uscourts.gov  
**Subject:** Activity in Case 1:10-cv-01965-KAM -VVP Topalian v. Hartford Life Insurance Company  
Telephone Conference

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**U.S. District Court**

**Eastern District of New York**

**Notice of Electronic Filing**

The following transaction was entered on 3/14/2011 at 4:43 PM EDT and filed on 3/14/2011

**Case Name:** Topalian v. Hartford Life Insurance Company

**Case Number:** 1:10-cv-01965-KAM -VVP

**Filer:**

**Document Number:** 17

**Docket Text:**

**MINUTE ENTRY** for Telephone Status Conference held on 3/14/11 before Magistrate Judge Viktor V. Pohorelsky: Within one week after the entry of the stipulated protective order, the defendant shall produce documents subject to the order; within three weeks after the entry of the stipulated protective order, the plaintiff shall make any motion to compel; the defendant shall respond within seven days thereafter; no replies. The next conference will be held by telephone on April 20, 2011 at 2:30 p.m., to be initiated by counsel for the plaintiff (Chambers: 718-613-2400). (Newton, Joan)

**1:10-cv-01965-KAM -VVP Notice has been electronically mailed to:**

Michael H. Bernstein [Michael.bernstein@SDMA.com](mailto:Michael.bernstein@SDMA.com)

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e84c806ae77f5c73aa408b28b1530061a716f1dd7f322fd995dc3562062]]